

## **IC 20-2-4**

### **Chapter 4. Election and Duties of County Superintendent**

#### **IC 20-2-4-1**

##### **Elections; oath; bond; tie vote**

Sec. 1. The township trustees of each county of this state shall meet at the office of the auditor of their county on the first Monday in June, 1917, at ten o'clock a. m., and every four (4) years thereafter, and elect by ballot a county superintendent for their county. Such county superintendent shall enter upon the duties of his office on August sixteenth following and, unless sooner removed, shall hold his office until his successor is elected and qualified. Before entering upon the duties of his office, he shall subscribe and take an oath to perform faithfully such duties according to law; which oath shall be filed with the county auditor. He shall also execute, in the manner prescribed by IC 5-4-1, a bond conditioned upon the faithful discharge of his duties. The county auditor shall report the name and post-office of the person so elected to the state superintendent of public instruction. Whenever a vacancy may occur in the office of county superintendent, the said township trustees, on at least three (3) days' notice given by the county auditor, shall assemble at ten o'clock a. m., on the day designated in such notice, at the office of such auditor, and fill such vacancy by ballot for the unexpired term. In all elections of a county superintendent, the county auditor shall be the clerk of such election; and in case of a tie vote, the auditor shall cast the deciding vote. In case any one (1) candidate shall receive a number of votes equal to one-half of all the trustees of the county, the county auditor shall then and at all subsequent ballots cast his vote with the trustees until some candidate shall receive a majority of all the votes in the county, including the county auditor. Such auditor shall keep a record of such election in a book kept for that purpose.

*(Formerly: Acts 1899, c.143, s.1; Acts 1911, c.16, s.1; Acts 1913, c.71, s.1.) As amended by Acts 1981, P.L.47, SEC.16.*

#### **IC 20-2-4-2**

##### **Vacancies in office**

Sec. 2. In the event there is an election of a county superintendent of schools pursuant to the provisions of section 1 of this chapter, and the person so elected dies, or fails, refuses, or neglects to assume the duties of the office on or before August 16 of the year of his election, the township trustees shall, as soon as practical thereafter, declare a vacancy in the office of county superintendent of schools; and they shall immediately hold another election to elect a county superintendent of schools pursuant to the provisions of section 1 of this chapter.

*(Formerly: Acts 1899, c.143, s.1a; Acts 1959, c.181, s.1.) As amended by P.L.2-1988, SEC.439.*

#### **IC 20-2-4-3**

**Impeachment; grounds; procedure**

Sec. 3. Any county superintendent may be impeached for immorality, incompetency, or general neglect of duty, or for acting as agent for the sale of any text-book, school furniture, maps, charts or other school supplies; and such impeachment proceedings shall in all things be governed by the provisions of law now in force for impeaching county officers.

*(Formerly: Acts 1899, c.143, s.2.)*

**IC 20-2-4-4****Duties of county superintendent**

Sec. 4. The county superintendent shall have the general superintendence of the schools of his county. He shall attend each township institute at least once in each school year, and as often thereafter as possible, and preside over and conduct its exercises. He shall visit schools while they are in session, for the purpose of increasing their usefulness and elevating, as far as practicable, the poorer schools to the standard of the best. He shall conduct teachers' institutes and encourage other like associations, and shall labor, in every practicable way, to elevate the standard of teaching and to improve the condition of the schools of his county. In all controversies of a general nature arising under the school law, the decision of the county superintendent shall first be obtained; and then an appeal, except on local questions relating to the legality of school meetings, establishment of schools, and the location, building, repair, or removal of school houses, or transfer of persons for school purposes, and resignation and dismissal of teachers, may be taken from his decision to the state superintendent of public instruction on a written statement of facts, certified to by such county superintendent. Nothing in this chapter, however, shall be construed so as to change or abridge the jurisdiction of any court in cases arising under the school laws of this state; and the right of any person to bring suit in any court, in any case arising under the school laws, shall not be abridged by the provisions of this chapter. He shall at all times carry out the orders and instructions of the state board of education and the state superintendent of public instruction, and shall constitute the medium between such state superintendent and subordinate school officers and the schools.

*(Formerly: Acts 1899, c.143, s.4.) As amended by P.L.2-1988, SEC.440.*

**IC 20-2-4-5****Exemption of city schools from superintendent's authority**

Sec. 5. City schools, however, having duly appointed superintendents, shall be exempt from the general superintendence authorized by this chapter upon a written request of the school boards of said cities that such supervision be not extended to such cities by the county superintendent.

*(Formerly: Acts 1899, c.143, s.5.) As amended by P.L.2-1988, SEC.441. Repealed*

*(Repealed by Acts 1972, P.L.158, SEC.1.)*

**IC 20-2-4-7**

**Office and supplies; compensation**

Sec. 7. The board of county commissioners shall provide and furnish an office for the county superintendent of their county, allow and pay all costs incurred by him for postage, stationery, and records in carrying out the provisions of this chapter, upon his making to them satisfactory proof thereof. The county superintendent shall be paid for his services the sum of four dollars (\$4) per day for the time actually employed.

*(Formerly: Acts 1899, c.143, s.11.) As amended by P.L.2-1988, SEC.442.*